

BARRY TOWN COUNCIL

MINUTES OF A MEETING OF THE COUNCIL HELD ON TUESDAY, 31 MARCH 2009 AT 7.00 PM

PRESENT:- Councillor S C Egan (Town Mayor), together with Councillors B Brooks, G D Davey, P Drake, J Evans, K Evans, H C Hamilton, N P Hodges, S A Hodges, K A Kemp, K Kuhnell, K Lewis, L M Payne, B I Shaw, T C Stenstrom and S T Wiliam.

ALSO PRESENT:- Cliff Lewis -Deputy Executive Officer
Mark Sims - Responsible Finance Officer
Chief Superintendent Dando
Acting Superintendent Louise Davies
Julie Hurd, Administration.

124. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors O Cash, C Turner, E T Williams and M Wright.

Members were advised that Councillor Williams was in hospital and it was agreed that a card should be sent to him from the Council.

125. **DECLARATIONS OF INTEREST**

Councillors P Drake, K Kuhnell, K Lewis and S Wiliam declared personal interests in relation to all agenda items regarding the Memorial Hall & Theatre Trust by virtue of being Trustees.

126. **MINUTES OF THE COUNCIL'S MEETING HELD ON 19 JANUARY 2009**

RESOLVED that the minutes of the Council held on 19 January 2009 be approved and signed as a correct record subject to the following amendments being made:-

Minute number 115

Paragraphs 2 and 3 should be amended as follows:-

“The Committee did not carry out these actions this year for several reasons, but this only goes to show that you cannot take your eye off the ball. Councillors should re-endorse the decision to hold monthly meetings, and where possible attend these. The fallacy that because the reserves are healthy, the revenue account can be topped up from reserves is incorrect, and I make certain quotes from CIPFA (the Chartered Institute of Public Finance and Accountancy) guidance on reserves the use of. An example of this is that in 1999 Barry Town Council employed a person on Capital (in other words using the

reserves for two years), without making provision in the revenue account, thus diminishing the reserves, without making the necessary changes in the revenue account. Councillors, we must never get into this position again, we know we can do it, so let's get on with the job".

The Leader then quoted from Notes based on CIPFA guidance on the main purpose of reserves and the categories associated with CIPFA and he made reference to Section 114 of the Local Government Finance Act 1988 with regard to contingency, reserves and management control. He added that the Council should never again be in the position it was with regard to the 2006-2007 budget.

Minute Number 117

That the resolution be amended to read as follows:-

That the Executive Officer provide a more detailed report on the Barry Town Council staffing structure – restructuring proposals to the Resources Committee for their consideration.

Minute No. 121

That the minute taker check their notes for the correct voting numbers and the amendment be report back to the next meeting of Council via these minutes.

Amended voting numbers are as follows:-

2 for, 16 against and 2 abstentions.

127. **QUESTIONS FROM COUNCILLORS**

1. Prior to the police reports being heard the Leader of Council asked Councillors to allow Councillor S Hodges to put a question to the Mayor as it was pertinent to the information that would be relayed by Chief Supt Dando during the police reports.

RESOLVED: that Councillor Hodges be permitted to put her question to the Mayor prior to the police reports.

2. Councillor Hodges requested that the Mayor and Councillor's give support to a letter being sent to the Chief Constable Barbara Wilding expressing the Council's concerns regarding the closure of the Custody Suite in Barry.

RESOLVED: that the Leader of Council, Councillor Stenstrom and Councillor S Hodges be requested to draft a letter to be sent to the Chief Constable of South Wales expressing the Council's concerns over the closure of the Custody Suite in Barry.

128. **POLICE REPORTS**

Chief Superintendent Dando and Acting Inspector Louise Davies attended the meeting to provide Councillors with a report various issues.

Chief Supt Dando provided the Council with an overview on the decision to close the Barry Custody Suite and advised Members that a custody suite in Cardiff would be used to process those arrested within the eastern side of the Vale of Glamorgan. He informed the Committee that he would be willing to answer any questions raised by the committee. He advised that all prisoners would be transported to the "Bridewell" custody suite in Cardiff in the future but that at present there were no arrangements for bringing prisoners back to Barry and the Vale once they had been processed and bailed, but that various options were being investigated at present. One of those options was to use G45, a security service, but for this to implemented PACE (Police & Crime Evidence Act) may have to be amended. He advised that the custody suite in Barry was being closed in attempt to reduce costs for the force following the announcement of it's 2009/10 budget. Concerns were raised by Councillors over the decreasing efficiency of policing in the Vale of Glamorgan, in particular Barry, whilst officers were spending more time transporting and waiting for prisoners to be processed in the Bridewell Suite in Cardiff. Chief Supt Dando stated that this was also a concern of the South Wales Police and that ways to assure that this did not have detrimental affect on policing in Barry and the Vale were being looked into.

Various questions were raised regarding this matter and Chief Supt Dando made every effort to respond to all of them.

Chief Superintendent Dando also informed the Council of the merger in September between Vale of Glamorgan police division with Bridgend and Neath Port Talbot with Swansea in an effort to cut costs within the South Wales Police. He advised that inevitably there would be job losses but that he anticipated most of these would be from back room staff such as administration.

Acting Inspector Louise Davies then provided the Council with the latest statistics regarding local crime in Barry on a ward by ward basis, the figures indicated that overall there was a decrease in the level of reported crime in Barry. Illtyd ward showed a decrease in crime in all areas, whereas Cadoc ward showed an increase in vehicle crime and anti-social behaviour, other wards showed both increases and decreases in all areas. She advised members that they could find crime statistics on the internet by logging onto www.ourbobby.com.

129. **COMMUNICATIONS FROM THE MAYOR**

The Mayor stated that following a meeting with officers and the Leader of the Council officers were now in a position to provide a report on past Mayors badges and that this would be submitted to the Council's next meeting.

RESOLVED:-

That a report be submitted to the next Full Council meeting regarding past Mayor's badges and bars for those Councillors who have served more than once as Mayor or Deputy Mayor.

130. **QUESTIONS FROM COUNCILLORS**

These had been taken earlier in the meeting.

131. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no members of the public in attendance.

132. **MINUTES OF MEETINGS OF THE AMENITIES COMMITTEE HELD ON 2 FEBRUARY 2009**

It was proposed by Councillor K Lewis and seconded by Councillor S Hodges.

RESOLVED: That the minutes of the Committee's meetings be received and noted.

133. **MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 2 MARCH 2009**

It was proposed by Councillor T C Stenstrom and seconded by Councillor G Davey.

RESOLVED: That the minutes of the Committee's meeting be received and noted.

134. **MINUTES OF THE PLANNING COMMITTEE'S MEETING HELD ON 20 JANUARY & 17 FEBRUARY 2009**

It was proposed by Councillor K Lewis and seconded by Councillor M Payne.

RESOLVED: That the minutes of the Committee's meeting be received and noted.

135. **MINUTES OF THE RESOURCES COMMITTEE MEETING HELD ON 16 FEBRUARY 2009**

Councillor H Hamilton made reference to minute R51 on page 540 and requested that this be referred back to the Resources Committee as he did not believe it to be a true record of this agenda item.

RESOLVED: that the minutes of the Committee be approved subject to the Resources Committee reviewing minute no. R51.

136. **REPORTS FROM REPRESENTATIVES OF OUTSIDE BODIES**

It was noted that a lever arch file containing reports from outside bodies was available for inspection in the Executive Officers office.

137. **APPOINTMENT OF MINOR AUTHORITY GOVERNER TO SERVE ON THE HIGH STREET PRIMARY SCHOOL GOVERNING BODY**

Councillor Stenstrom asked the Committee to consider asking Mr Tony Williams, the current Council representative, to carry on with the role as he had been heavily involved with High Street Primary School.

RESOLVED: That this item be deferred to the next meeting to allow Mr Williams to be asked whether he would be prepared to continue as a MAR on behalf of the Council, should the Council not be able to fill the position with a serving Councillor.

138. **CHANGES TO MEMBERSHIP OF TOWN COUNCIL COMMITTEES**

Due to the absence of the Group Leader involved in this matter it was requested that this matter be deferred to the next meeting of Council.

139. **SCHEDULE OF PAYMENTS**

Councillor B Shaw asked for clarification on cheque number 105385 which was for payment to Loosemores Solicitors. The Responsible Finance Officer indicated that this payment was for legal fees with regard to the Lease.

RESOLVED: that the schedule of payments for March 2009 consisting of direct debits and cheque numbers 105374 to 105388 inclusive, in the amount of £23,058.34 be approved.

140. **EXTERNAL AUDIT REPORT FOR 2007/08**

Members were requested to:-

1. receive the completion of the annual audit letter from Mazars LLP, noting the contents of the external auditor's certificate and opinion on section 3 of the annual return.

2. approve the audit annual return for the year ending 31 March 2008.

RESOLVED: that the above actions be approved.

141. **URGENT ACTION TAKEN IN ACCORDANCE WITH STANDING ORDER 112**

RESOLVED:

That the report be received and noted.

142. **NOMINATION OF MAYOR ELECT FOR THE 2009/10 MUNICIPAL YEAR**

It was moved by Councillor K Lewis and Seconded by Councillor G Davey that Councillor H Hamilton be nominated as Mayor elect for the 2009/10 municipal year. A vote was taken the outcome of which was:-

For 11, Against 5, Abstentions 0

It was moved by Councillor S Hodges and seconded by Councillor that Councillor N Hodges be nominated as Mayor Elect for the 2009/10 Municipal Year.

For 5, Against 11, Abstentions 0

RESOLVED: that Councillor H C Hamilton be nominated as Mayor Elect for the 2009/10 municipal year.

143. **NOMINATIONS OF DEPUTY MAYOR ELECT FOR THE 2009/10 MUNICIPAL YEAR**

It was moved by Councillor G Davey and seconded by Councillor M Payne that Councillor K Kuhnell be nominated as Deputy Mayor Elect for 2009/10 Municipal year.

For 11, Against 5, Abstentions 0

It was moved by Councillor S Hodges and seconded by Councillor B Shaw that Councillor N Hodges be nominated as Deputy Mayor Elect for the 2009/10 Municipal year.

For 5, Against 11, Abstentions 0

144. **EXECUTIVE OFFICER'S REPORT**

1. **Authority to Seek Loan Sanction Consent**

A long debate took place on the necessity of the extension to the Merthyr Dyfan Cemetery. The Council had no objections to officers seeking authorisation to obtain a loan sanction for the extension subject to a bigger debate taking place on a report to be provided to Council in November 2009. The report should be available around September to allow plenty of time for members to consider the implications of the report.

Councillor N Hodges indicated that although he did not object to further debate he felt it would be wrong to seek the money and not draw it down. The Leader responded stating that he did not disagree with his comments but felt it would be wrong to pre-empt the result of the debate. After further discussions it was **RESOLVED**: that the Executive and Deputy Executive Officers be authorised to submit an application for loan sanction consent to the Welsh Assembly Government in the sum of £185,000 in 2009/10, for the purpose of laying out the final extension to Merthyr Dyfan Cemetery, subject to further debate.

2. **Local Government Act 1972 Section 56 (1) – Review of the Boundaries in the County Borough of the Vale of Glamorgan**

Questions were raised as to whether paragraph 4.17 of the draft proposal report was unique to Barry and that maybe the whole structure of the boundaries need to be redefined. It was agreed that the question was a valid question and that the Council should seek guidance on this matter.

RESOLVED: That Council seek guidance on full proposals of the report with regard to the election of Councillors in the Barry Wards.

3. **Schedule of Meetings for 2009/10**

RESOLVED: that the Schedule of meetings for 2009/10 be approved noting that the following meetings will consider draft budgets for 2010/11:-

Amenities – 30 November 2009

Resources – 14 December 2009

Planning – 15 December 2009

Finance, Policy & General Purposes – 18 January 2010

Full Council – 8 February 2010

145. **EXCLUSION OF THE PRESS & PUBLIC**

RESOLVED: that in accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

146. **CONSIDERATION OF PROGRESS REPORT ON DRAFT LEASE BETWEEN BARRY TOWN COUNCIL AND THE MEMORIAL HALL & THEATRE TRUST**

Members were requested to give consideration to a progress report in relation to the revised draft lease between Barry Town Council and the Memorial Hall & Theatre Trust. The Leader apologised for the previous Council meeting being cancelled in the hope that this report would have been ready for submission.

Concerns were raised over the fact that not all Councillors had received copies of the lease for consideration prior to the meeting and asked that it be provided to all Councillors. The Leader indicated that he could not guarantee that the document that he was in possession of would be the final draft, but gave assurance that as soon as the final draft became available all Councillors would be provided a copy and that group leaders would meet to discuss the lease.

RESOLVED:

1. That a meeting be held between Memorial Hall & Theatre Trust to discuss various points within the draft lease and that following that meeting should it be necessary a further meeting take place with solicitors present.
2. That the Leader of Council provide feedback to the Leaders of both Conservative and Plaid Groups following that meeting.
3. That a copy of the revised draft lease be provided to all Councillors with a further copy of any amended draft lease also being provided to Councillors so that they can compare the two versions.
4. That a Special Meeting of Council be arranged to allow Councillors to give consideration to the final proposed draft lease agreement once agreed by both parties.

Meeting ended at 9.00 pm.

Signed
(Town Mayor)

Dated